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141205

EXTENSION 136  
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July 15, 2005

**VIA FACSIMILE and U.S. MAIL**

Mr. Craig Melodia  
Associate Regional Counsel  
United States Environmental Protection  
Agency  
Region 5, C-14J  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

Re: General Notice Letter for Milwaukee Solvay Coke and Gas Site, 311 East  
Greenfield Avenue, Milwaukee, WI

Dear Craig:

I am responding on behalf of Cliffs Mining Company (Cliffs) to the aforementioned General Notice Letter. By making this response and all of the statements contained herein, Cliffs does not concede that it would ultimately be determined to be a responsible party as defined in Section 107(a) of CERCLA nor does Cliffs waive any of the defenses that it might assert against a finding of liability or an apportioning of liability should this matter proceed in an adversarial fashion.

We have had an opportunity to review some of the responses provided to investigatory requests made by EPA under Section 104(e) of CERCLA. We have also had an opportunity to discuss the remediation phase of this matter with a few of the other parties listed in the attachment to EPA's Notice letter. At this time, Cliffs continues to make efforts to communicate with the remaining parties identified on the list.

Because our communications with the other named parties are incomplete, Cliffs cannot indicate any willingness of other parties to enter into negotiations consistent with the Superfund Alternative Sites approach for performing or financing investigation and remediation activities. However, subject to retaining all rights to terminate such negotiations if the parties reach an impasse with EPA or with other parties involved, Cliffs is presently willing to begin the process of negotiating with EPA and other interested parties and agencies regarding an agreeable

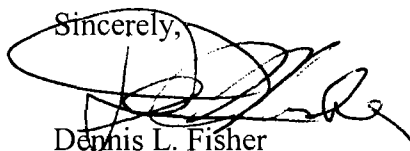
Mr. Craig Melodia  
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Consent Order for proceeding with an RI/FS process under the Superfund Alternative sites approach.

Cliffs also notes that the information provided in response to the Section 104(e) requests indicates that the period in which Cliffs had any association with this site involved those periods when the plant was operating pursuant to pollution discharge permits issued by federal and state agencies and was reducing the scope of production at the plant. We believe that these factors, when combined with other evidence to be generated through further investigation at the site, will demonstrate that, if there are levels of contaminants justifying remediation in the soil or groundwater, Cliffs' contribution to the volume of such pollutants will be small or non-existent.

We will continue to make our own efforts to communicate with other parties on the list. However, we would also appreciate being promptly informed by your office with indications of responses received from other identified parties and with any other information pertaining to the willingness of EPA and other parties to commence negotiation under the Alternative Site process.

A copy of this response is being mailed to the other parties identified on the list attached to the Notice Letter.

Sincerely,  
  
Dennis L. Fisher

CMT7151.WPD

cc: George Hawk  
Dave Crouch  
Dana Byrne  
Kimberley Lesniak  
Thomas Short  
Sara Roberts Galley  
Rachel Schneider  
Thomas McGinn

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U.S. ENVIRONMENTAL  
PROTECTION AGENCY

JUL 20 2005

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